

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Donald J. Merkley et al.

Application No.: 10/757,330

Confirmation No.: 3467

Filed: January 13, 2004

Art Unit: 1791

For: FIBER CEMENT COMPOSITE MATERIALS  
USING SIZED CELLULOSE FIBERS

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Examiner: M. J. Daniels

**INFORMATION DISCLOSURE STATEMENT**

***Filed Via EFS-Web***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Pursuant to 37 CFR 1.97(e)(1), each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to its filing.

Applicant has not submitted a copy of the cited U.S. patent in accordance with 37 CFR 1.98(a)(2). Copies of the foreign patent document and the non-patent literature are provided in accordance with 37 CFR 1.98.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-0153, under Order No. 129843-1030.

Dated: August 5, 2010

Respectfully submitted,

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